

May 9, 1973

be advanced from General File to E & R Initial? All those in favor vote aye, all those opposed vote no. Have you all voted? Clerk will record.

CLERK: 32 ayes, no nays.

PRESIDENT: Bill is advanced. That brings up for General File discussion then LB 366.

CLERK: Reads title of LB 366. There are committee amendments by Senator Cavanaugh's Miscellaneous Subjects Committee.

PRESIDENT: Senator Cavanaugh, do you want to handle the committee amendments?

SENATOR CAVANAUGH: Senator Waldron will handle those.

PRESIDENT: Thank you. Senator Waldron.

SENATOR WALDRON: Mr. President, I move the committee amendments be adopted. Mr. President, members of the Legislature, when you adopt the committee amendments then the bill will provide only as follows. It will provide after the committee amendments are adopted that there will be, that no one can sell liquor below cost plus 15%. Cost in the bill is defined as cost and 15%. Everyone across the state will be selling their liquor at 15% mark-up. The primary reason for this bill is to try to protect the small liquor store, especially in outstate Nebraska and it will protect the small retailers in Omaha and Lincoln from the grocery stores and the drug stores who have completely almost ruined the business for the small businessman across this state. And this is what we're trying to do is to make sure that there is some profit in this business. If there is no profit in this business, that is when you have the abuses within your liquor sales. When someone is beginning to go broke in the liquor business, he begins to cheat, sell to minors and one thing or another to try to make a profit. Therefore, if we adopt a minimum price which they must sell at and 15%, give everybody 15%, we will help these people and also reduce the number of liquor violations in the State of Nebraska. We can do this in this area, put a minimum price on liquor because the states have almost unlimited power in the regulation of the sale of liquor. You could not do this in other areas, but in this area the states have this power and I think it will do a lot for the small liquor establishments, the small businessmen and I think those people deserve protection.

PRESIDENT: We're discussing the committee amendments to LB 366. Is there need for further discussion of the committee amendments? Senator Syas.

SENATOR SYAS: Well, I just want to say that I think Senator Waldron is very much in error. He says that no other, you can't do that any place else. Maybe legally you can't do it, just like legally you can't do what you're about to do even though liquor is under control. But how about cigarettes and how about milk that you fellows were so enthused with here a while back? I don't know why you don't do this for everything if that's the way you feel. I'm against all of this type of stuff.

PRESIDENT: The chair would like to control the debate at least at this point on the committee amendments, if we could. I know that it's difficult to separate those perhaps from the bill but is there any further discussion of the committee amendments? Does anybody want to discuss the committee amendments to 366? All those in favor--all right, Senator Whitney.

SENATOR WHITNEY: Mr. President, I was wondering why they increased the percentage mark-up from 12 to 15%. Would Senator Waldron answer that question for me, please?